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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 HENRI CALDERON-RODRIGUEZ,

9 Petitioner,

10 v.

11 BRYAN S. WILCOX, et al.,

12 Respondents.  
13

Case No. C18-1373JLR

ORDER

14 The court has conducted a de novo review of the challenged parts of the Report and  
15 Recommendation of the Honorable Mary Alice Theiler United States Magistrate Judge  
16 (Dkt. # 13). In doing so it has reviewed Petitioner's Objections (Dkt. # 15), Respondents'  
17 Objections (Dkt. # 14), Petitioner's Response to Respondents' Objections (Dkt. # 17),  
18 Respondents' Responses to Petitioner's Objections (Dkt. # 16), and the remaining record. The  
19 Court finds and ORDERS:

20 (1) The Court ADOPTS in part and AMENDS in part the Report and  
21 Recommendation;

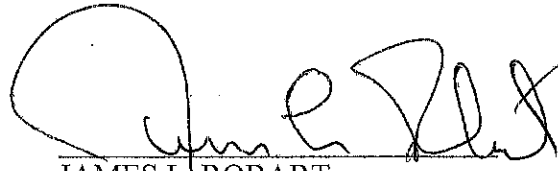
22 (2) The Government's motion to dismiss, Dkt. 4, is GRANTED in part and DENIED  
23 in part;

1 (3) Petitioner's habeas petition, Dkt. 1, is GRANTED in part and DENIED in part;

2 (4) Petitioner's request for immediate release is denied. However, the Government  
3 shall release petitioner on appropriate conditions within 45 days unless, at a new bond hearing, it  
4 presents clear and convincing evidence that he presents a current flight risk or danger to the  
5 community; and

6 (5) The Clerk is directed to send copies of this Order to the parties and to Judge Theiler.

7 Dated this 6<sup>th</sup> day of February, 2019.

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10 JAMES L. ROBART  
United States District Judge  
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